



February 18, 2015

SENATE BILL No. 421

DIGEST OF SB 421 (Updated February 17, 2015 11:30 am - DI 103)

Citations Affected: IC 9-13; IC 9-19; IC 9-21.

Synopsis: Autocycles. Defines "autocycle" for purposes of motor vehicle law, and provides that an autocycle is a motorcycle. Makes conforming changes.

Effective: July 1, 2015.

Grooms

January 12, 2015, read first time and referred to Committee on Homeland Security & Transportation.
February 17, 2015, amended, reported favorably — Do Pass.

SB 421—LS 6760/DI 96



February 18, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 421

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-6.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2015]: **Sec. 6.1. "Autocycle" means a three (3) wheeled motor**
4 **vehicle in which the operator and passenger ride in a completely or**
5 **partially enclosed, tandem seating area that is equipped with:**
6 **(1) a rollcage or roll hoops;**
7 **(2) safety belts for each occupant; and**
8 **(3) antilock brakes;**
9 **and is designed to be controlled with a steering wheel and pedals.**
10 SECTION 2. IC 9-13-2-108, AS AMENDED BY P.L.221-2014,
11 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: **Sec. 108. "Motorcycle" means a motor vehicle with**
13 **motive power that:**
14 **(1) has a seat or saddle for the use of the rider;**
15 **(2) is designed to travel on not more than three (3) wheels in**
16 **contact with the ground; and**

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(3) satisfies the operational and equipment specifications described in 49 CFR 571 and IC 9-19.

The term **includes an autocycle**, but does not include a farm tractor or a motor driven cycle.

SECTION 3. IC 9-19-7-1, AS AMENDED BY P.L.221-2014, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. An individual less than eighteen (18) years of age who is operating or riding on a motorcycle or motor driven cycle on the streets or highways shall do the following:

(1) Wear a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979.

(2) Wear protective glasses, goggles, or transparent face shields.

This section applies to the operator of or an individual riding in an autocycle.

SECTION 4. IC 9-19-7-2, AS AMENDED BY P.L.221-2014, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) Except as provided in ~~subsection~~ **subsections (b) and (c)**, a motorcycle or motor driven cycle operated on the streets or highways by a resident of Indiana must meet the following requirements:

(1) Be equipped with handlebars that rise not higher than the shoulders of the driver when the driver is seated in the driver's seat or saddle.

(2) Be equipped with brakes in good working order on both front and rear wheels.

(3) Be equipped with footrests or pegs for both operator and passenger.

(4) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation.

(b) A motorcycle or motor driven cycle manufactured before January 1, 1956, is not required to be equipped with lamps and other illuminating devices under subsection (a) if the motorcycle or motor driven cycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(c) An autocycle is not required to be equipped with handlebars or footrests or pegs under subsection (a).

SECTION 5. IC 9-21-3-7, AS AMENDED BY P.L.206-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the



1 colors green, red, or yellow may be used, except for special pedestrian
2 signals under IC 9-21-18.

3 (b) The lights indicate and apply to drivers of vehicles and
4 pedestrians as follows:

5 (1) Green indication means the following:

6 (A) Vehicular traffic facing a circular green signal may
7 proceed straight through or turn right or left, unless a sign at
8 the place prohibits either turn.

9 (B) Vehicular traffic, including vehicles turning right or left,
10 shall yield the right-of-way to other vehicles and to pedestrians
11 lawfully within the intersection or an adjacent sidewalk at the
12 time the signal is exhibited.

13 (C) Vehicular traffic facing a green arrow signal, shown alone
14 or in combination with another indication, may cautiously
15 enter the intersection only to make the movement indicated by
16 the green arrow or other movement permitted by other
17 indications shown at the same time.

18 (D) Vehicular traffic shall yield the right-of-way to pedestrians
19 lawfully within an adjacent crosswalk and to other traffic
20 lawfully using the intersection.

21 (E) Unless otherwise directed by a pedestrian control signal,
22 pedestrians facing a green signal, except when the sole green
23 signal is a turn arrow, may proceed across the roadway within
24 a marked or unmarked crosswalk.

25 (2) Steady yellow indication means the following:

26 (A) Vehicular traffic facing a steady circular yellow or yellow
27 arrow signal is warned that the related green movement is
28 being terminated and that a red indication will be exhibited
29 immediately thereafter.

30 (B) A pedestrian facing a steady circular yellow or yellow
31 arrow signal, unless otherwise directed by a pedestrian control
32 signal, is advised that there is insufficient time to cross the
33 roadway before a red indication is shown, and a pedestrian
34 may not start to cross the roadway at that time.

35 (3) Steady red indication means the following:

36 (A) Except as provided in clauses (B) and (D), vehicular
37 traffic facing a steady circular red or red arrow signal shall
38 stop at a clearly marked stop line. However, if there is no
39 clearly marked stop line, vehicular traffic shall stop before
40 entering the crosswalk on the near side of the intersection. If
41 there is no crosswalk, vehicular traffic shall stop before
42 entering the intersection and shall remain standing until an



indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described in this subdivision, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

(i) Make a right turn.

(ii) Make a left turn if turning from the left lane of a one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this subdivision shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) **This clause does not apply to the operation of an autocycle.** If the operator of a motorcycle, motorized bicycle, motor scooter, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

(i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and

(ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications means the following:

(A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.

(B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.

(C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon.

(5) This section applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is



1 supplemented by a sign or pavement marking indicating where
2 the stop must be made.

3 SECTION 6. IC 9-21-10-3, AS AMENDED BY P.L.221-2014,
4 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 3. A person who operates a motorcycle or motor
6 driven cycle may not carry a package, bundle, or other article that
7 prevents the person from keeping both hands on the handlebars **or**
8 **steering wheel.**

9 SECTION 7. IC 9-21-10-4, AS AMENDED BY P.L.221-2014,
10 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2015]: Sec. 4. **(a) Except as provided in subsection (b),** a
12 person may not drive, operate, or ride as a passenger on a motorcycle
13 or Class A motor driven cycle in a position other than astride the seat
14 or saddle provided.

15 **(b) A person may not drive, operate, or ride as a passenger in an**
16 **autocycle in a position other than on a seat.**

17 SECTION 8. IC 9-21-10-6 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. A motorcycle is
19 entitled to the full use of a traffic lane and a vehicle may not be driven
20 or operated in a manner that deprives another vehicle of the full use of
21 a traffic lane. Motorcycles, **other than autocycles,** may, with the
22 consent of both persons who operate the motorcycles, be operated with
23 not more than two (2) abreast in a single traffic lane.

24 SECTION 9. IC 9-21-16-7 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Except as
26 provided in subsection (b) and except where angle parking is permitted
27 by local ordinance for streets under local control and by order of the
28 Indiana department of transportation on streets and highways in the
29 state highway system, including routes through cities and towns, a
30 vehicle stopped or parked upon a roadway where there is an adjacent
31 curb must be stopped or parked with the right-hand wheels of the
32 vehicle parallel with and within twelve (12) inches of the right-hand
33 curb.

34 **(b) This subsection does not apply to an autocycle.** A motorcycle
35 stopped or parked upon a roadway where there is an adjacent curb may
36 be stopped or parked with the rear wheel of the motorcycle to the curb
37 and with the front tire facing the flow of traffic.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 421, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective dates in SECTIONS 1 through 9 with "[EFFECTIVE JULY 1, 2015]".

Page 1, delete lines 5 through 10 and insert "**completely or partially enclosed, tandem seating area that is equipped with:**

(1) a rollcage or roll hoops;

(2) safety belts for each occupant; and

(3) antilock brakes;

and is designed to be controlled with a steering wheel and pedals."

Page 5, delete lines 39 through 42.

Delete pages 6 through 7.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 421 as introduced.)

YODER, Chairperson

Committee Vote: Yeas 8, Nays 0.

